

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARIN WARD HOFFMAN,	:
Petitioner	:
v.	: Case No. 3:04-cv-217-KRG-KAP
LOUIS S. FOLINO,	:
SUPERINTENDENT, S.C.I. GREENE	:
Respondent	:

MEMORANDUM ORDER

Petitioner's motion for relief from judgment, docket no. 20, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(c), and Local Rule 72.1 for Magistrate Judges.

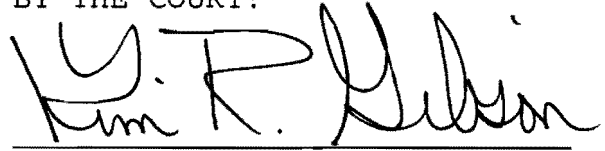
The Magistrate Judge filed a Report and Recommendation on July 2, 2009, docket no. 21, recommending that the petitioner's motion be denied.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. Petitioner filed timely objections, docket no. 22, which are meritless.

After de novo review of the record of this matter together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 15th day of July, 2010, it is
ORDERED that the petitioner's motion for relief from
judgment, docket no. 20, is denied.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

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S.C.I. Somerset
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